IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

Bail Appl..No. 1300 of 2007()

CP.131/2006 of J.M.F.C.-I,KOTTARAKKARA
CRIME NO.29/05 OF EZHUKONE POLICE STATION

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: PETITIONER/ACCUSED NO.2:

PRASAD, AGED 39,
S/O. RAGHAVAN, PRASAD VILASAM, NEDUMANKAVU,
KAREEPRA, KOTTARAKARA.

BY ADV. SRI.PREMCHAND R.NAIR

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY SUB INSPECTOR OF POLICE,
EZHUKONE POLICE STATION, REPRESENTED THROUGH
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1300 OF 2007 B

Dated this the 16th day of March, 2007

O R D E R

Petitioner, who is the second accused in Crime No.29/05 of Ezhukone Police Station for offences punishable under sections 55(b) and 55(g) of the Abkari Act for allegedly having been found in possession of 10 litres of illicit arrack and 48 litres of wash in the course of illicit manufacture of arrack on 23.1.2005, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail, particularly when the case is pending before the JFCM-I, Kottarakkara as C.P.No.131/06. Accordingly, if the petitioner surrenders before the said Magistrate and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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